

Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON, AT TACOMA

PUGET SOUND ELECTRICAL WORKERS  
HEALTH AND WELFARE TRUST  
(INCLUDES VACATION ALLOWANCE),  
PUGET SOUND ELECTRICAL WORKERS  
PENSION TRUST, PUGET SOUND  
ELECTRICAL JOINT APPRENTICESHIP  
AND TRAINING TRUST, NATIONAL  
ELECTRICAL BENEFIT FUND, and LABOR  
MANAGEMENT COOPERATION TRUST,

Plaintiffs,

vs.

BARKHURST CONTROL TECHNOLOGIES,  
INC., a Washington corporation,

Defendant.

CAUSE NO.: C05-5474RJB

STIPULATION, JUDGMENT AND  
ORDER

**Clerk's Action Required**

Plaintiffs Puget Sound Electrical Workers Health and Welfare Trust (Includes Vacation Allowance), Puget Sound Electrical Workers Pension Trust, Puget Sound Electrical Joint Apprenticeship and Training Trust, National Electrical Benefit Fund, and Labor Management Cooperation Trust (Trust Funds), by and through their attorney of record, Robert A. Bohrer and Defendant Barkhurst Control Technologies, by and through its attorney of record, Bryce H. Dille, hereby stipulate to Judgment and stipulates that the Court may enter Judgment as follows:

STIP, JUDGMENT & ORDER  
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EKMAN, BOHRER & THULIN, P.S.  
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220 WEST MERCER ST., SUITE 400  
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## **SUMMARY OF JUDGMENT**

1. Judgment Creditors: Puget Sound Electrical Workers Health and Welfare Trust (Includes Vacation Allowance), Puget Sound Electrical Workers Pension Trust, Puget Sound Electrical Joint Apprenticeship and Training Trust, National Electrical Benefit Fund, and Labor Management Cooperation Trust

2. Judgment Debtor: Barkhurst Control Technologies, Inc.

3. Contributions (4/04, 6/04): \$2,245.31

4. Liquidated Damages: \$449.06

5. Interest (through 8/31/05): \$314.35

6. Costs: \$289.75

7. Attorney's Fees: \$1,280.30

8. Post-Judgment Interest: 12% per annum

9. Attorney for Judgment Creditors: Robert A. Bohrer

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Seattle, WA 98119

10. Defendant Employer hereby stipulates to judgment in favor of Plaintiff Trust

Funds in the amount \$4,578.77, representing contributions covering the period April and June 2004 in the amount \$2,245.31, liquidated damages in the amount \$449.06, interest in the amount \$314.35, costs in the amount \$289.75, and attorney fees in the amount \$1,280.30 for a total amount owing of \$4,578.77 and do hereby authorize the Court to enter Judgment against Defendant Employer and in favor of Plaintiff Trust Funds, without further notice or opportunity to be heard. This Stipulation and Judgment is for money justly due and owing to Plaintiff Trust Funds arising out of that certain labor agreement between Defendant Employer and the Union which contract requires the payment of fringe benefit contributions and ancillary charges to Plaintiff Trust Funds. The Judgment amount is based on unfunded report forms.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

S/

Authorized Representative of Barkhurst Control  
Technologies, Inc.

s/Robert A. Bohrer  
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Attorney for Defendant

ORDER

Pursuant to the Stipulation of the parties, and otherwise being generally advised, it is hereby

**ORDERED** that Plaintiff Trust Funds be awarded Judgment against Defendant Employer representing delinquent fringe benefit contributions covering the period April and June 2004 in the amount \$2,245.31, liquidated damages in the amount \$449.06, interest in the amount \$314.35 costs in the amount \$289.75 and attorney's fees in the amount \$1,280.30, for a total amount owing of \$4,578.77.

**IT IS FURTHER ORDERED** that such Judgment be deemed a final Judgment pursuant to CR 54(b) and there is no just reason for delay in entry of such Judgment on Plaintiff Trust Funds' claim herein.

**IT IS FURTHER ORDERED** that this Judgment shall accrue interest on the total unpaid balance at the rate of 12% per annum.

DATED this 19<sup>th</sup> day of October, 2005.

Robert G. Bryan

**ROBERT J. BRYAN**  
United States District Court Judge

1 Presented by:

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10 Attorney for Plaintiffs

11 Approved as to form;

12 Notice of Presentation waived:

13 s/Bryce H. Dille

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21 Attorney for Defendant

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24  
25 STIP, JUDGMENT & ORDER  
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